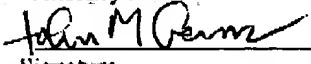


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Lindfors et al.  
Serial No. : 09/581,959  
Filed : June 19, 2000  
For : NEW IMPROVED FORMULATION  
Examiner : Fay, Zohreh A.  
Group Art Unit : 1614

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FEB 28 2005

<b>CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8</b>	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below at the facsimile number <u>703-872-9306</u> .	
John M. Genova	32,224
Attorney Name	PTO Reg. No.
	<u>28 February 2005</u>
Signature	Date of Signature

Mail Stop AF  
Commissioner for Patents  
Box 1450  
Alexandria, VA 22313-1450

ATTENTION: Examiner Zohreh A. Fay  
FACSIMILE NO: 1-703-872-9306  
DATE: February 28, 2005  
TOTAL PAGES: 3 pages

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. §1.191)**

Sir:

Applicants hereby appeal to the Board from the decision of the Primary Examiner, mailed September 8, 2004, finally rejecting claims 1-21, 23-34, 39-42 and 45-47. The item(s) below are appropriate:

USSN 09/581,959, filed: June 19, 2000  
Attorney Docket No.: 1103326-0623  
Page 2 of 3

1. STATUS OF APPLICANTS

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. §1.17(b), the fee for filing the Notice of Appeal is \$500.00.

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

(a) ☒ Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a)(1-4)) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>
<input type="checkbox"/> one month	\$120.00
<input type="checkbox"/> two months	\$450.00
<input checked="" type="checkbox"/> three months	\$1,020.00
<input type="checkbox"/> four months	\$1,590.00

Fee \$1,020.00

If an additional extension of time is required, please consider this a petition therefor.

☒ An extension for one (1) month has already been secured by the Amendment after Final, filed December 17, 2004. The fee paid therefor of \$120.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$900.00

or

(b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 500.00

Extension fee (if any) \$ 900.00

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TOTAL FEE DUE \$ 1,400.00

5. FEE PAYMENT

☐ Attached is a check in the sum of \$ \_\_\_\_\_.

☒ Charge Account No. 23-1703 the sum of \$ 1,420.00.

6. FEE DEFICIENCY

☒ If any additional extension and/or fee is required, charge Account No. 23-1703.

AND/OR

☐ If any additional fee for claims is required, charge Account No. 23-1703.

Dated: February 28, 2005

Respectfully submitted,



John M. Genova  
Reg. No. 32,224

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